

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N #2006-1075-2IR-C

May 12, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

INDUSTRIAL VENTURES, LLC
C/O ROSS NELSON
TIDEWATER ENVIRONMENTAL SERVICES, INC.
POST OFFICE BOX 865
JOHNS ISLAND, SOUTH CROOLINA 29457-0865

for a permit to place fill in wetlands in an area adjacent to the

STONO RIVER

at a location on Hwy 171 near Riverland on James Island, Charleston County, South Carolina (Latitude: 32.71083 N; Longitude: 79.96472 W).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, JUNE 12, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

A previous project at this site was advertised under PN#2005-2W-233-C. The proposed work involved filling wetlands to construct a business park. The South Carolina Department of Health and Environmental Control issued certification for this previous project in accordance with Section 401 of the Clean Water Act and the Coastal Zone Management Program on April 4, 2006. However, the applicant has requested a change in the project purpose. Under the new project, the proposed work consists of filling 0.86 acres of a jurisdictional ditch and associated wetlands to facilitate the construction of a multifamily development. **NOTE: Since this is being advertised as a new project, comments submitted under the previous public notice (PN#2005-2W-233-C) are not valid. Only comments submitted under PN#2006-1075-2IR-C will be taken into consideration during the review process.**

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.86 acres of freshwater wetlands located upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

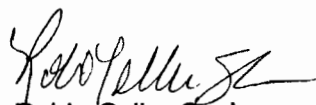
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

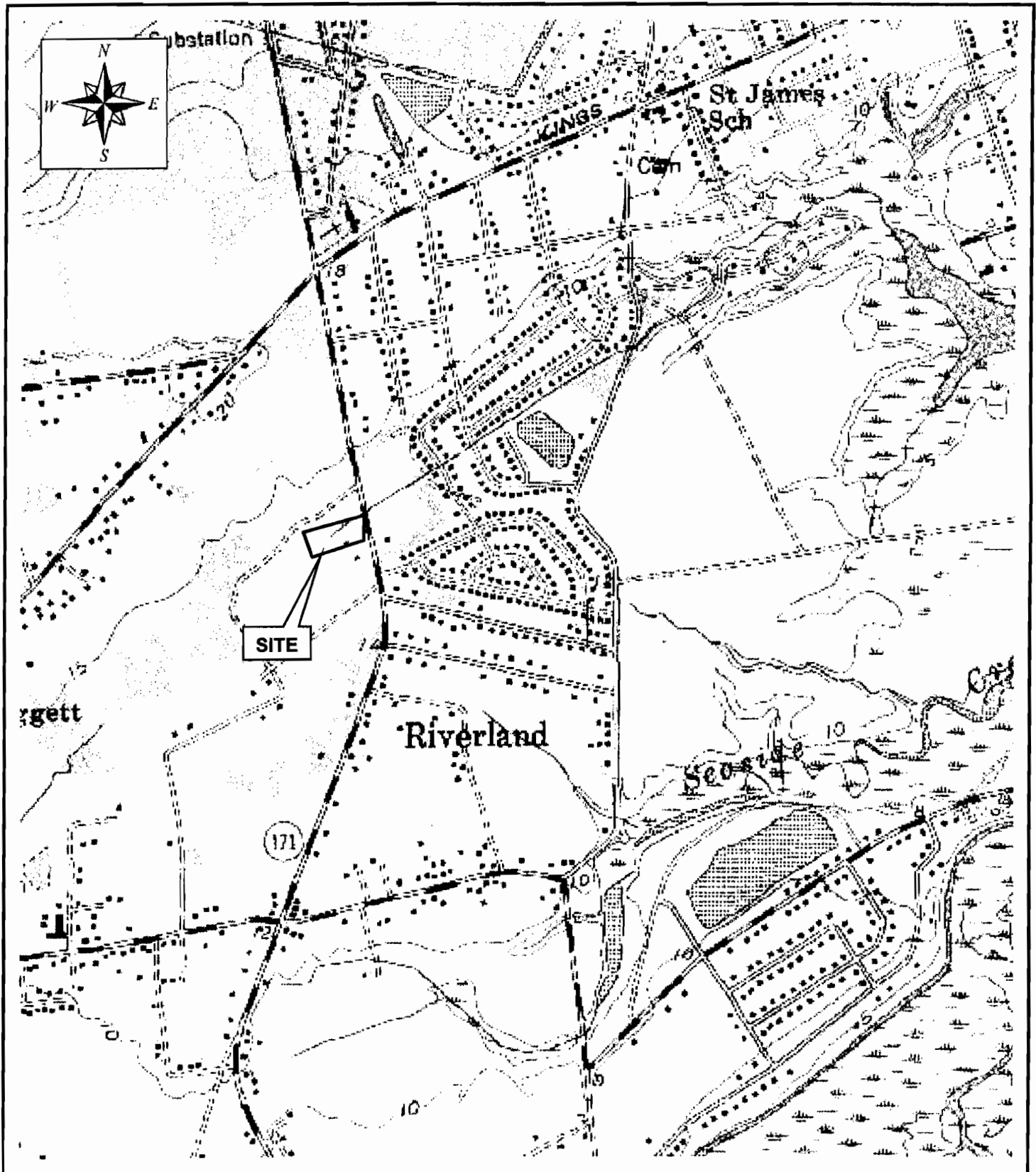
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



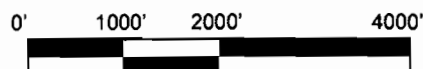
PURPOSE: DEVELOP PROPERTY

ADJACENT PROPERTY OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC# 2006-1075-2IR-C

FIGURE 1
SITE LOCATION MAP
1"=2000'



APPLICANT
INDUSTRIAL VENTURES LLC

PROPOSED: WETLAND FILL

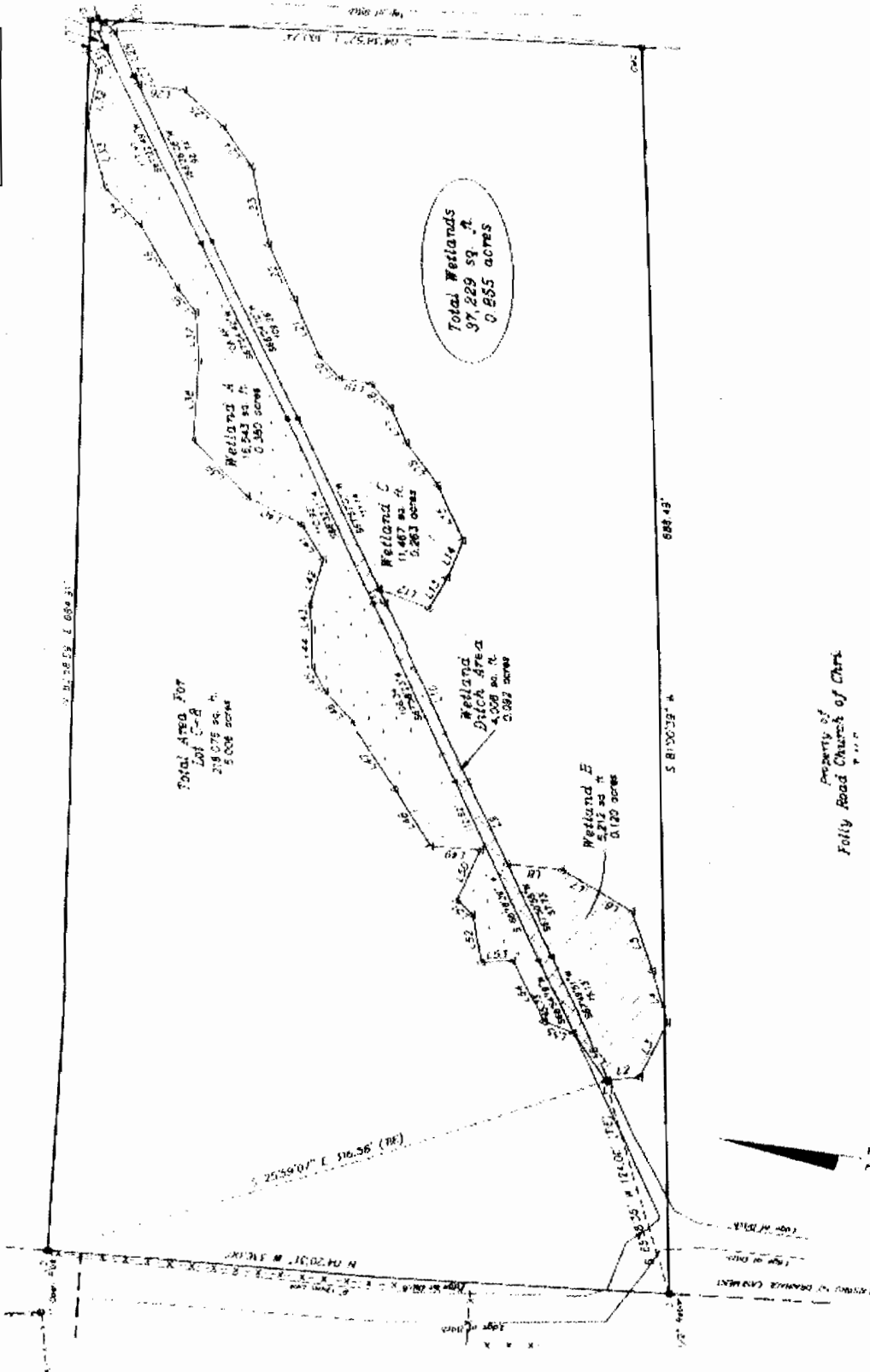
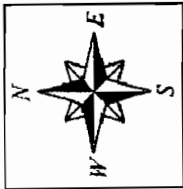
AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA

IN: JURISDICTIONAL WETLAND

COUNTY: CHARLESTON

SHEET: 1 OF 5

DATE: 06/21/05



PURPOSE: DEVELOP PROPERTY PARK

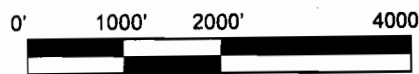
ADJACENT PROPERTY OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC # 2006-1075-2IR-C

**FIGURE 2
SITE MAP**

1" = approx. 100'



APPLICANT
INDUSTIRAL VENTURES LLC

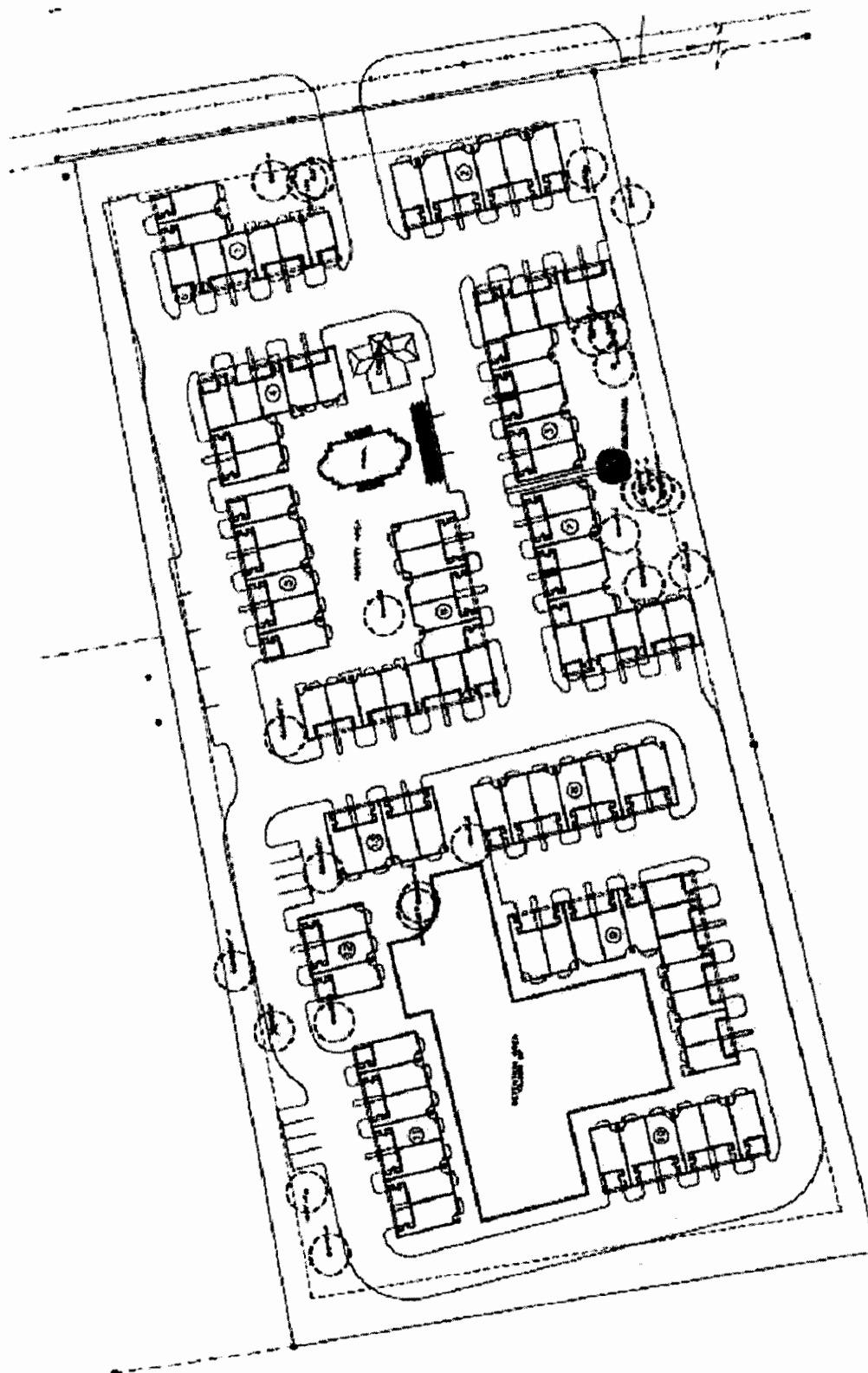
PROPOSED: WETLAND FILL

AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA

IN: JURISDICTIONAL WETLAND

COUNTY: CHARLESTON

SHEET: 2 OF 5 **DATE:** 06/21/05



PURPOSE: DEVELOP PROPERTY

ADJACENT OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC # 2006-1075-2IR-C

FIGURE 3A
PRELIMINARY SITE PLAN
NOT TO SCALE

PROPOSED: WETLAND FILL

AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA

IN: JURISDICTIONAL WETLAND

COUNTY OF: CHARLESTON

APPLICATION BY: INDUSTRIAL
VENTURES

SHEET 3 OF 5 DATE: APRIL 28, 2006



0.853 ACRES
WETLANDS TO BE
INFILLED

The diagram is a site plan for a property development. It shows a rectangular plot with a grid of building footprints and parking spaces. A large, irregularly shaped area, shaded with diagonal hatching, runs diagonally from the upper left towards the lower right, bisecting the grid. This shaded area represents wetlands to be infilled. Numerous small circles, some with numbers inside, are scattered throughout the plan, likely representing trees or specific survey points. A north arrow is located in the upper right corner. A line with a break symbol is shown at the bottom left, indicating the plan continues. A dashed line runs along the right edge of the plot.

PURPOSE: DEVELOP PROPERTY

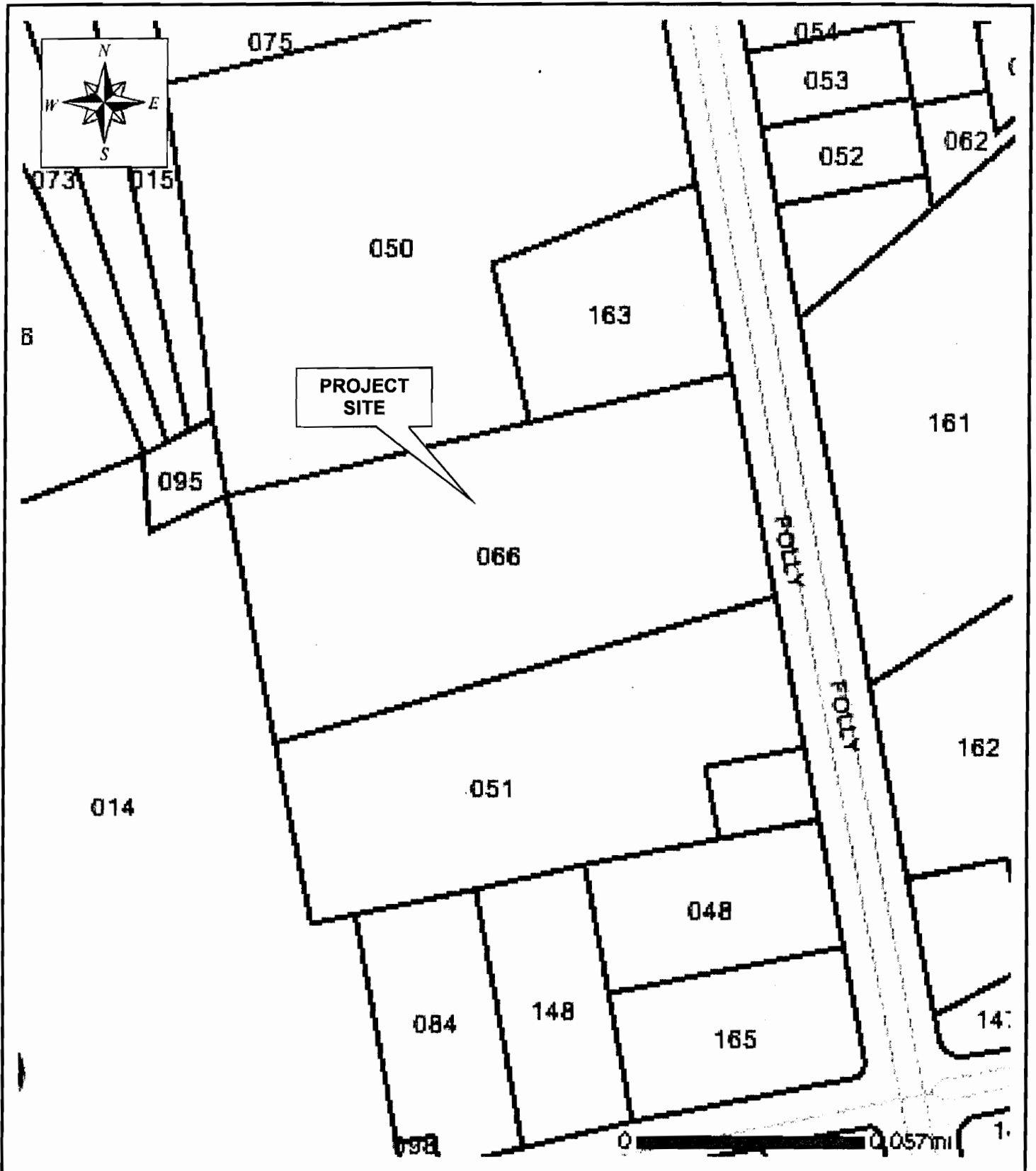
ADJACENT OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC # 2006-1075-2 IR-C

FIGURE 3B
PRELIMINARY SITE PLAN
SHOWING WETLAND &
GRAND TREE IMPACT
NOT TO SCALE

PROPOSED: WETLAND FILL
AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA
IN: JURISDICTIONAL WETLAND
COUNTY OF: CHARLESTON
APPLICATION BY: INDUSTRIAL
VENTURES
SHEET 3 OF 5 DATE: APRIL 28, 2006



PURPOSE: DEVELOP PROPERTY

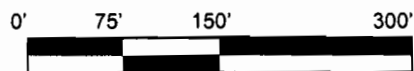
ADJACENT PROPERTY OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC# 2006-1075-2IR-C

FIGURE 4
TAX MAP

1"=150'



APPLICANT
INDUSTRIAL VENTURES LLC

PROPOSED: WETLAND FILL

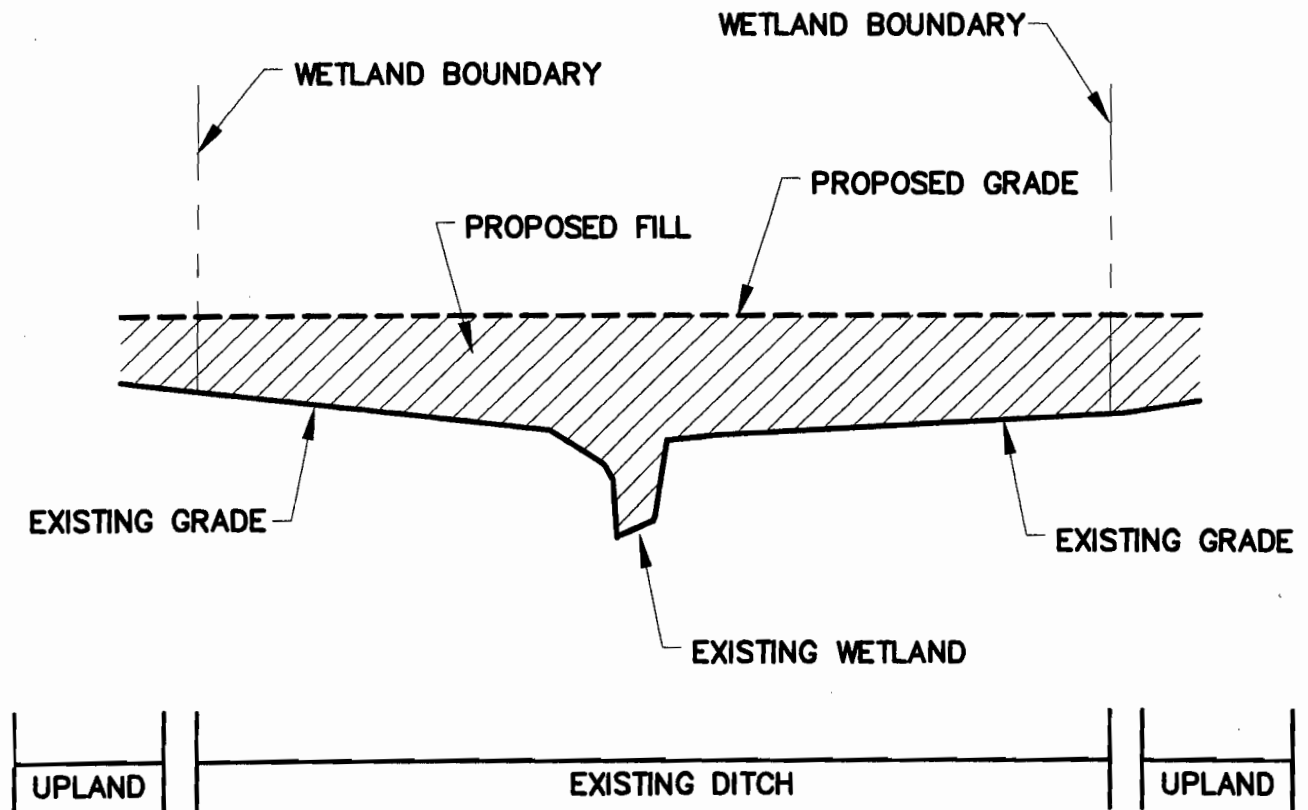
AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA

IN: JURISDICTIONAL WETLAND

COUNTY: CHARLESTON

SHEET: 4 OF 5

DATE: 06/21/05



PURPOSE: DEVELOP PROPERTY

ADJACENT OWNERS:
1. SEE ATTACHED

SURVEY DATUM: UTM

SAC #2006-1075-2ER-C

FIGURE 5
TYPICAL CROSS SECTION
NOT TO SCALE

PROPOSED: WETLAND FILL

AT: FOLLY ROAD
CHARLESTON, SOUTH CAROLINA

IN: JURISDICTIONAL WETLAND

COUNTY OF: CHARLESTON

APPLICATION BY: INDUSTRIAL
VENTURES

SHEET 5 OF 5 DATE: APRIL 28, 2006